<u>REMARKS</u>

In response to the above-noted Office Action, responsive to the objections at page 3 continuing to page 4 of the Action and rejections under 35 U.S.C. 102(b) and 35 U.S.C. 103(a) at page 5 continuing to page 9 of the Action, Applicant has amended the specification, Claims 1-3, 8 and 9 as suggested. Applicant submits herewith, replacement drawings, namely Figures 1-2 and 8, in compliance with 37 CFR 1.21(d).

Applicants request reconsideration of the application in view of the following remarks.

Regarding the 35 U.S.C. §102 rejection of claims 1, 8 and 9 as being anticipated by *Dejaco*, Applicant amended claims 1, 8 and 9 to include a limitation from claim 3. As conceded by the Examiner, *Dejaco* does not teach formant bandwidth conversion. On the other hand, *Jabri* teaches formant bandwidth conversion only when the output bandwidth is narrower than the input bandwidth. It does not teach formant bandwidth conversion when the output bandwidth is broader than the input bandwidth as discussed below.

Regarding the 35 U.S.C. §103 rejection of claims 2-5 as being unpatentable over *Dejaco* in view of *Jabri*, the Examiner contends that *Jabri* teaches or suggests format bandwidth conversion, but does not teach formant bandwidth conversion when the output bandwidth is broader than the input bandwidth. In *Jabri*, Proxy Transcoder Server (PTS) is a computer having various modules to carry out the functionality of transcoding. *(Jabri, Page 3, paragraph 0040.)* The PTS has a variety of audio and video transcoding capabilities *(Jabri, page 4, paragraph 0052.)* PTS can also "perform media bit rate control" which would be necessary because the connection "between two end-points may involve bandwidth reduction." *(Jabri, page 4, paragraph 0043.)* Thus, *Jabri* does suggest formant bandwidth conversion when bandwidth reducing is involved. Even though *Jabri* inherently teaches bandwidth expansion, it is not clear its teachings would provide a method for bandwidth expansion. Therefore *Jabri* fails to teach formant bandwidth conversion when the output bandwidth is broader than the input bandwidth as claimed by Applicant.

Regarding the provisionally rejection of Claims 1-2, 4-6 and 8-9 on non-statutory obviousnesss-type double patenting over one or more claims of copending application, Applicant submits herewith a terminal disclaimer for publication number 2004/0111257 corresponding to Application Serial No. 10/704509. A check in the amount of $65.00 for the terminal disclaimer fee under 37 CFR 1.20(d) is included.

Accordingly, Applicant submits that the claims pending examination, mainly Claims 1-9 are now in condition for allowance, which early action is requested.

If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: _____7/30_____, 2007   By: _____

Eric S. Hyman Reg. No. 30,139

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on _7/30/07_.

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